

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

STATE OF MISSOURI, et al.,
Plaintiffs-Appellees / Cross-Appellants,

v.

JOSEPH R. BIDEN, JR., et al.,
Defendants-Appellants / Cross-Appellees.

Nos. 24-2332,
24-2351

NOTICE OF COMPLIANCE

Defendants-cross-appellees (collectively, the Department) respectfully submit this Notice of Compliance to inform cross-appellants and the Court of actions taken to comply with this Court's July 18, 2024 Order granting the emergency motion for an administrative stay. That order "prohibit[s] the [cross-]appellees from implementing or acting pursuant to the Final Rule until this Court rules on the [cross-]appellants' motion for an injunction pending appeal."

The Department understands the order to prohibit the implementation or application of any part of the Final Rule, including the payment provisions that were challenged by plaintiffs and not enjoined by

the district court, as well as many other provisions that were never challenged at all. Accordingly, the Department has begun the process of putting all borrowers enrolled in the SAVE plan into forbearance pending further decision of this Court. The Department will continue its current practice, adopted in compliance with the district court's preliminary injunction, of not processing any loan forgiveness on the shortened timelines provided for in the Final Rule. Because both this Court's order and the district court's preliminary injunction specifically restrict actions taken pursuant to the "Final Rule," the Department does not understand either order to apply to actions taken under other, preexisting regulations, including those creating REPAYE, PAYE, and the original income contingent repayment plan that authorize loan forgiveness after 20 or 25 years of payments.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2024, I electronically filed the foregoing with the Clerk of the Court by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

/s/ Simon C. Brewer

Simon C. Brewer